

10/797,273MS306991.01/MSFTP565US**REMARKS**

Claims 1-38 are currently pending in the subject application and are presently under consideration. Claims 1, 10, 14, 17, 24 and 32 have been amended as shown at pages 6-10 of the Reply. In addition, the specification has been amended as indicated at pages 2-5.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claims 1-38 Under 35 U.S.C. §102(b)**

Claims 1-38 stand rejected under 35 U.S.C. §102(b) as being anticipated by Shaw (US Patent 5,278,894). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Shaw does not teach each and every element of applicants' invention as recited in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc., v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q.2D 1597 (Fed. Cir. 2002); See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention relates to a call processing system that utilizes caller identification information along with call recipient preferences and status to determine an appropriate response, such as a personalized message, forwarding the call to an appropriate device, activating voicemail, or translating a response message into a language appropriate for the caller. In particular, independent claim 1 (and similarly independent claims 14, 17, 24 and 32) recites *a client computer system that receives data from the switch component regarding caller identity and generates a customized response in accordance with user defined rules or preferences, the rules and preferences are based at least upon an inferred current status of the client based upon at least one of the client's calendar application, video camera, microphone, keyboard, PDA, vehicle, and GPS.*

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Shaw does not teach or suggest the aforementioned novel aspects of applicants' invention as recited in the subject claims. The cited art discloses a call processing system that employs caller identification information to select an appropriate response message, which may be personalized to the caller. However, Shaw is silent regarding employing any of the client based data of the subject claim to infer the status of the client. The cited art merely relies upon a no-answer or busy signal to determine the next action to take. Therefore, Shaw fails to teach or suggest the rules and preferences are based at least upon an inferred current status of the client based upon at least one of the client's calendar application, video camera, microphone, keyboard, PDA, vehicle, and GPS.

In view of at least the foregoing discussion, applicants' representative respectfully submits that Shaw fails to teach or suggest all limitations of applicants' invention as recited in independent claims 1, 14, 17, 24 and 32 (and all claims that respectfully depend there from), and thus fails to anticipate the subject claimed invention. Accordingly, withdrawal of this rejection is respectfully requested.

10/797,273MS306991.01/MSFTP565US**CONCLUSION**

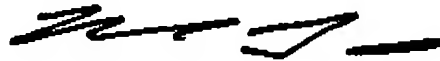
The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP565US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin  
Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731